

Exhibit 34

In The Matter Of:

IN RE SEPTEMBER 11 LITIGATION

LARRY WANSLEY

April 4, 2007

HIGHLY CONFIDENTIAL
TC REPORTING in affiliation with Merrill Legal
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WANSLEY, LARRY - Vol. II

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12:32:39 2 The witness can answer but only to
12:32:41 3 the extent he does not reveal, his testimony
12:32:44 4 does not go to any information that has been
12:32:47 5 designated SSI in any security directive and
12:32:50 6 redacted out.

12:32:52 7 Q. You can answer.

12:32:53 8 A. I wasn't sure if I heard
12:32:55 9 everything. Would you mind speaking a little
12:32:58 10 louder, ma'am, or can someone give you a mic. I
12:33:01 11 am old, I can't hear too well.

12:33:09 12 MS. VARGAS: It is a very long
12:33:10 13 room. The witness can answer the question to
12:33:22 14 the extent that he testifies only to SDs in
12:33:26 15 their redacted form. Not to any information
12:33:28 16 that is under SSI redaction. So the universe of
12:33:33 17 SDs.

12:33:34 18 Q. You can answer the question.

12:33:35 19 A. Repeat the question, please.

12:33:51 20 (The pending question was read as
12:33:51 21 follows:

12:32:08 22 "Question: Did you receive any
12:32:09 23 security directive prior to 9/11, 2001
12:32:13 24 mentioning in any way the 9/11 hijackers?")

12:33:52 25 Q. Or any of them?

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12:33:53 2 A. Not that I recall.

12:33:56 3 Q. Now, let's look at the redacted

12:33:58 4 version of Exhibit 418. I direct you to

12:34:03 5 subparagraph Roman II on the first page. Does

12:34:08 6 that subparagraph provide instructions as to

12:34:10 7 what the aircraft operator was supposed to do

12:34:14 8 with the individuals identified in this security

12:34:22 9 directive?

12:34:22 10 MR. GREEN: Object to the form.

12:34:23 11 A. Subsection 2 and sub, subsections

12:34:28 12 A, B, C and D do.

12:34:31 13 Q. What are the directives, the

12:34:34 14 redacted directives as set forth in Exhibit 418

12:34:38 15 as to what the air carriers are supposed to do

12:34:42 16 with the listed but unidentified individuals?

12:34:45 17 A. Not transport that individual or

12:34:48 18 his or her baggage, immediately notify

12:34:52 19 appropriate law enforcement authorities and

12:34:55 20 provide them with the information in this

12:34:58 21 directive. Immediately notify all other U.S.

12:35:03 22 aircraft operators at the airport, immediately

12:35:07 23 notify the FAA 24 hour watch at 202-267-3099.

12:35:19 24 Q. If the CIA and the FBI had

12:35:23 25 contacted the FAA in late August, 2001 and had

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12:35:29 2 asked the FAA to put al Mihdhar and Al Hazmi on
12:35:35 3 a no fly list or a watch list, could the FAA
12:35:39 4 have issued a security directive similar to
12:35:42 5 Exhibit 418 but relating specifically to al
12:35:47 6 Mihdhar and Al Hazmi?

12:35:49 7 MR. TOMASIK: Object to the form.

12:35:50 8 MS. HESSION: Object to the form of
12:35:51 9 the question.

12:35:52 10 Q. You can answer.

12:35:52 11 A. Yes.

12:35:54 12 Q. Would you, based on your experience
12:35:55 13 with the FAA and as security director for nine
12:36:00 14 years prior to 9/11 of American Airlines have
12:36:03 15 expected the FDA to issue such a directive?

12:36:07 16 MS. HESSION: Object to the form.

12:36:08 17 A. The FAA?

12:36:09 18 Q. Yes.

12:36:11 19 A. Yes.

12:36:16 20 Q. If American Airlines had received a
12:36:19 21 security directive from the FAA in late August
12:36:22 22 2001 placing al Mihdhar and Al Hazmi on a no fly
12:36:29 23 list or a watch list, what steps could American
12:36:31 24 Airlines have taken to implement that directive?

12:36:34 25 MS. HESSION: Object to the form of

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12:36:34 2 the question.

12:36:38 3 A. American Airlines would have
12:36:39 4 immediately put that information into our
12:36:42 5 systems which would have been accessible to all
12:36:46 6 agents that would be dealing with or processing
12:36:53 7 passengers.

12:36:54 8 Q. By systems are you referring to
12:36:56 9 computer systems?

12:36:56 10 A. Yes, sir, computer systems.

12:37:00 11 Q. Could that directive if received in
12:37:02 12 late August have been implemented by American
12:37:04 13 Airlines and put into the system prior to
12:37:06 14 September 11th?

12:37:07 15 A. Yes, sir.

12:37:12 16 Q. If al Mihdhar and Al Hazmi were on
12:37:15 17 an FAA no fly list or watch list of the type
12:37:19 18 we've been discussing, what would you in your
12:37:22 19 experience have expected to happen when they
12:37:25 20 attempted to check in under their own names for
12:37:28 21 Flight 77 on the morning of 9/11, 2001?

12:37:33 22 MR. PEPE: Object to the form.
12:37:34 23 Lacks foundation.

12:37:35 24 MR. PARSONS: Object to the form.

12:37:36 25 A. Their names would have been in the

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12:37:37 2 system. It would have come to the immediate
12:37:40 3 attention of the agent processing them. Law
12:37:43 4 enforcement would have been notified and they
12:37:46 5 would have contacted the individuals.

12:37:54 6 Q. If the security directive had
12:37:56 7 instructed the ticket agent to notify a law
12:37:59 8 enforcement officer, would you have expected the
12:38:01 9 ticket agents to do so?

12:38:03 10 MR. PARSONS: Object to the form.

12:38:04 11 MS. HESSION: Object to the form of
12:38:05 12 the question.

12:38:05 13 A. Absolutely.

12:38:06 14 Q. Based on your experience, sir, your
12:38:08 15 long experience as an FBI agent, as an airline
12:38:13 16 security director and as a State Police man,
12:38:16 17 would you have expected law enforcement at
12:38:18 18 Dulles to have detained al Mihdhar and Al Hazmi
12:38:21 19 for questioning upon learning that they were the
12:38:24 20 subject of an FAA security directive and were
12:38:28 21 wanted for questioning by the FBI and CIA as
12:38:31 22 suspected terrorists?

12:38:32 23 MS. HESSION: Object to the form of
12:38:33 24 the question.

12:38:35 25 MR. PEPE: Roger, we are getting a

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12:38:37 2 bit far afield here.

12:38:40 3 MR. PODESTA: Perhaps for you,

12:38:41 4 Doug, since you are not a plaintiff in Flight

12:38:43 5 77.

12:38:44 6 Q. You may go on. You may answer, Mr.

12:38:46 7 Wansley.

12:39:15 8 (The pending question was read as

12:39:15 9 follows:

12:38:06 10 "Question: Based on your
12:38:07 11 experience, sir, your long experience as an FBI
12:38:10 12 agent, as an airline security director and as a
12:38:15 13 State Police man, would you have expected law
12:38:17 14 enforcement at Dulles to have detained al
12:38:20 15 Mihdhar and Al Hazmi for questioning upon
12:38:23 16 learning that they were the subject of an FAA
12:38:26 17 security directive and were wanted for
12:38:28 18 questioning by the FBI and CIA as suspected
12:38:31 19 terrorists?")

12:39:16 20 MS. SMITH: Object to the form of
12:39:17 21 the question.

12:39:18 22 A. In my opinion law enforcement there
12:39:20 23 would have been all over the situation, by that
12:39:22 24 I mean they would have immediately responded and
12:39:25 25 taken custody of them.

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12:39:26 2 Q. Would you have expected Dulles law
12:39:28 3 enforcement, based on your experience as an FBI
12:39:31 4 agent, an airline security director and State
12:39:35 5 policeman to detain al Mihdhar and Al Hazmi for
12:39:38 6 questioning at least until the FBI and CIA could
12:39:42 7 be contacted?

12:39:45 8 MS. HESSION: Object to the form of
12:39:45 9 the question.

12:39:45 10 A. Absolutely.

12:39:46 11 Q. According to the Kean Commission
12:39:51 12 report Nawaf al Hazmi presented himself at the
12:39:54 13 ticket counter with his brother and traveling
12:39:56 14 companion, Salem Al Hazmi. In these
12:40:01 15 circumstances would you have expected the law
12:40:05 16 enforcement officer to detain Salem Al Hazmi for
12:40:09 17 questioning as well?

12:40:10 18 A. Absolutely.

12:40:11 19 MS. HESSION: Object to the form of
12:40:11 20 the question.

12:40:11 21 Q. Would that have been basic good law
12:40:13 22 enforcement practice?

12:40:14 23 A. That would have been fundamental
12:40:16 24 basic and wise law enforcement practice.

12:40:19 25 MR. TOMASIK: Objection, move to

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12:40:20 2 strike.

12:40:20 3 Q. Would you have expected the law
12:40:22 4 enforcement officer to detain Salem Al Hazmi at
12:40:26 5 least until it could be determined he was not a
12:40:28 6 suspected terrorist, unlike his brother?

12:40:31 7 A. Yes.

12:40:32 8 MS. HESSION: Object to the form of
12:40:32 9 the question.

12:40:33 10 MS. SMITH: Object to the form.

12:40:34 11 Q. The Kean Commission report notes al
12:40:38 12 Mihdhar checked in at the American Airlines
12:40:40 13 ticket counter with his traveling companion
12:40:44 14 Majed Moqued. In these circumstances, based on
12:40:46 15 your experience that we recounted, would you
12:40:49 16 have expected the law enforcement officer at
12:40:51 17 Dulles to detain Moqued for questioning?

12:40:56 18 MS. HESSION: Object to the form of
12:40:57 19 the question.

12:40:57 20 A. Yes, that's true, I would.

12:40:58 21 Q. At least until it could be
12:41:00 22 determined whether or not he was also a
12:41:01 23 suspected terrorist?

12:41:03 24 MS. HESSION: Object to the form of
12:41:04 25 the question.